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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/568,649
Filing Date	February 16, 2006
First Named Inventor	Georgio Terenghi
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	TEPH 109

ENCLOSURES *(Check all that apply)*

- [✓] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [✓] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
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- [ ] CD, Number of CD(s) _____
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- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
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- [ ] Proprietary Information
- [ ] Status Letter
- [✓] Other Enclosure(s) (please Identify below):

Twenty-Six (26) Pages PTO-Form 1449; Two Hundred Twenty Six (226) References; and Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Pabst Patent Group LLP		
Signature			
Printed name	Patrea L. Pabst		
Date	August 30, 2006	Reg. No.	31,284

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PTO/SB/17 (01-06)
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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006

☑ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 0.00

Complete if Known	
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METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims		Extra Claims	Fee ($)		Fee Paid ($)
_____	- 20 or HP =	_____	x _____	=	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims		Extra Claims	Fee ($)		Fee Paid ($)
_____	- 3 or HP =	_____	x _____	=	_____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee ($)	**Fee Paid ($)**
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

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4. OTHER FEE(S)

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Non-English Specification, $130 fee (no small entity discount)	_____
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Signature		Registration No. (Attorney/Agent) 31,284	Telephone 404-879-2151
Name (Print/Type)	Patrea L. Pabst		Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Georgio Terenghi, Para-Naz Mohana, and David P. Martin

Serial No.: 10/568,649 Art Unit: Not Yet Assigned

Filed: February 16, 2006 Examiner: Not Yet Assigned

For: *POLYHYDROXYALKANOATE NERVE REGENERATION DEVICES*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit an Information Disclosure Statement, including twenty-six (26) pages of Form PTO-1449, and copies of two hundred and twenty-six (226) documents cited therein.

Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, copies of cited U.S Patents are not enclosed. Copies will be provided upon request, however.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-1329.

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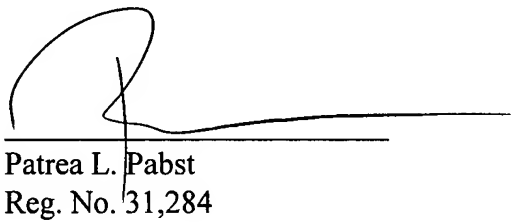
Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,



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Application Number	10/568,649
Filing Date	February 16, 2006
First Named Inventor	Georgio Terenghi
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Attorney Docket Number	TEPH 109

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	US Patent Document Number	Kind Code[2] (if known)	Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		3,598,122		Zaffaroni et al.	08-10-1971	
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Examiner Initials*	Cite No.[1]	Foreign Patent Document Office.[3]	Number[4]	Kind Code[5] (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
		CA	2,259,098		Meiji Seika Kaisha and Taisei Corp	07-13-1999		
		CA	2,307,637		Childrens Medical Center Corporation	05-14-1999		
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Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	TEPH 109

Sheet 2 of 26

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	US Patent Document Number	Kind Code[2] (if known)	Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4,435,180		Leeper	03-06-1984	
		4,559,222		Enscore et al.	12-17-1985	
		4,573,995		Chen et al.	03-04-1986	
		4,588,580		Gale et al.	05-13-1986	
		4,603,070		Steel et al.	07-29-1986	
		4,645,502		Gale et al.	02-24-1987	
		4,648,978		Makinen, et al.	03-10-1987	
		4,664,655		Orentreich, et al.	05-12-1987	
		4,704,282		Campbell et al.	11-03-1987	
		4,711,241		Lehmann	12-08-1987	

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		EP	0 423 484		btF Biotechnologische	04-24-1991		
		EP	0 429 403		Sigma-Tau Industrie Farmaceutiche Riunite	05-29-1991		
		EP	0 432 443		Boehringer Ingelheim	06-19-1991		
		EP	0 452 111		Takeda Chemical Industries	10-16-1991		
		EP	0 507 554		Mitsui Toatsu Chemicals, Inc.	10-07-1992		
		EP	0 601 885		Takasago International Corp.	06-15-1994		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known	
Application Number	10/568,649
Filing Date	February 16, 2006
First Named Inventor	Georgio Terenghi
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	TEPH 109

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		4,758,234		Orentreich, et al.	07-19-1988	
		4,788,062		Gale et al.	11-29-1988	
		4,792,336		Hlavacek, et al.	12-20-1988	
		4,816,258		Nedberge et al.	03-28-1989	
		4,826,493		Martini, et al.	05-02-1989	
		4,849,226		Gale	07-18-1989	
		4,856,188		Sibalis	08-15-1989	
		4,880,592		Martini, et al	11-14-1989	
		4,908,027		Enscore et al.	03-13-1990	
		4,910,145		Holmes, et al.	03-20-1990	

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		EP	0 628 586		Terumo Kabushiki Kaisha	12-14-1994		
		EP	0 754 467		Astra Aktiebolag	01-22-1997		
		EP	1130043		Canon Kabushiki Kaisha	09-05-2001		
		JP	4-326932		Nippon Zeon KK	11-16-1992		
		JP	5-023189		Mitsubishi Kasei Corp.	02-02-1993		
		JP	5-194141		Mitsubishi Kasei Corp.	11-19-1993		
		JP	7-275344		Nippon Zeon KK	10-24-1995		

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		4,938,763		Dunn, et al.	07-03-1990	
		4,943,435		Baker et al.	07-24-1990	
		5,002,067		Berthelsen, et al.	03-26-1991	
		5,032,638		Wang, et al	07-16-1991	
		5,085,629		Goldberg, et al.	02-04-1992	
		5,124,371		Tokiwa, et al.	06-23-1992	
		5,128,144		Korsatko-Wabnegg, et al.	07-07-1992	
		5,204,382		Wallace, et al.	04-20-1993	
		5,236,431		Gogolewski, et al.	08-17-1993	
		5,245,023		Peoples, et al.	09-14-1993	

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		PCT	WO 92/18164		Delta Biotech. Ltd.	10-29-1992		
		PCT	WO 93/20134		Alza Corporation	10-14-1993		
		PCT	WO 94/02184		Medinvent	02-03-1994		
		PCT	WO 94/06886		Biopak Technology, Ltd.	03-31-1994		
		PCT	WO 95/03356		Mass. Inst. of Tech.	02-02-1995		
		PCT	WO 95/20614		The Procter & Gamble Co.	08-03-1995		
		PCT	WO 95/20615		The Procter & Gamble Co.	08-03-1995		

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Attorney Docket Number	TEPH 109

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		5,250,430		Peoples, et al.	10-05-1993	
		5,271,961		Mathiowitz, et al.	12-21-1993	
		5,278,201		Dunn, et al.	01-11-1994	
		5,278,202		Dunn, et al.	01-11-1994	
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		5,292,860		Shiotani, et al.	03-08-1994	
		5,306,286		Stack, et al.	04-26-1994	
		5,334,698		Witholt, et al.	08-02-1994	
		5,468,253		Bezwada, et al.	11-21-1995	
		5,480,394		Ishikawa	01-02-1996	

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		PCT	WO 95/20621		The Procter & Gamble Co.	08-03-1995		
		PCT	WO 95/23250		The Procter & Gamble Co.	08-31-1995		
		PCT	WO 95/33874		Minnesota Mining and Manufacturing Company	12-14-1995		
		PCT	WO 96/00263		Stichting Onerzoek En Ontwikkleing Noord	01-04-1996		
		PCT	WO 96/08535		The Procter & Gamble Co.	03-21-1996		
		PCT	WO 96/18420		Bracco Research SA	06-20-1996		

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Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
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		5,480,794		Peoples, et al.	01-02-1996	
		5,489,470		Noda	02-06-1996	
		5,502,116		Noda	03-26-1996	
		5,502,158		Sinclair et al.	03-26-1996	
		5,512,669		Peoples, et al.	04-30-1996	
		5,516,565		Matsumoto	05-14-1996	
		5,534,432		Peoples, et al.	07-09-1996	
		5,536,564		Noda	07-16-1996	
		5,550,173		Hammond, et al.	08-27-1996	
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		PCT	WO 96/21427		Atrix Laboratories, Inc.	07-18-1996		
		PCT	WO 96/40304		Reprogenesis, Inc.	12-19-1996		
		PCT	WO 97/07153		University of Massachusetts Medical Center	02-27-1997		
		PCT	WO 97/15681		Metabolix Inc	05-01-1997		
		PCT	WO 97/30042		Global Art Co. Ltd	08-21-1997		
		PCT	WO 98/04292		Acusphere, Inc.	02-05-1998		

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		5,563,239		Hubbs, et al.	10-08-1996	
		5,614,576		Rutherford et al.	03-25-1997	
		5,629,077		Turnlund, et al.	05-13-1997	
		5,625,030		Williams et al.	05-29-1997	
		5,635,215		Boschetti, et al.	06-03-1997	
		5,646,217		Hammond	07-08-1997	
		5,648,100		Boschetti, et al.	07-15-1997	
		5,670,161		Healy, et al.	09-23-1997	
		5,703,160		Dehennua et al.	12-30-1997	
		5,705,187		Unger	01-06-1998	

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		PCT	WO 98/39453		Monsanto Co.	09-11-1998		
		PCT	WO 98/48028		Monsanto Company	10-29-1998		
		PCT	WO 98/51812		Metabolix, Inc.	11-19-1998		
		PCT	WO 99/11196		Point Biomedical Corp.	03-11-1999		
		PCT	WO 99/14313		Metabolix Inc	03-25-1999		
		PCT	WO 99/32536		Metabolix, Inc.	07-01-1999		
		PCT	WO 99/35192		Metabolix Inc.	07-15-1999		

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		5,709,854		Griffiths-Cima, et al.	01-20-1998	
		5,711,933		Bichon, et al.	01-27-1998	
		5,728,752		Scopelianos, et al.	03-17-1998	
		5,753,364		Rutherford et al.	05-19-1998	
		5,753,708		Koehler et al.	05-19-1998	
		5,811,272		Snell, et al.	09-22-1998	
		5,814,071		McDevitt, et al.	09-29-1998	
		5,814,599		Mitragotri et al.	09-29-1998	
		5,824,333		Scopelianos, et al.	10-20-1998	
		5,824,751		Hori et al.	10-20-1998	

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		PCT	WO 00/51662		Tepha, Inc.	09-08-2000		
		PCT	WO 00/56376		Metabolix, Inc.	09-28-2000		
		PCT	WO 01/15671		Tepha, Inc,.	03-08-2001		
		PCT	WO 01/19361		Tepha, Inc.	03-22-2001		
		PCT	WO 04/101002		Tepha, Inc.	11-25-2004		

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		5,834,582		Sinclair et al.	11-10-1998	
		5,840,331		Van Cauter, et al.	11-28-1998	
		5,842,477		Naughton, et al.	12-01-1998	
		5,855,619		Caplan, et al.	01-05-1999	
		5,876,452		Athanasiou, et al.	03-02-1999	
		5,876,455		Harwin	03-02-1999	
		5,879,322		Lattin et al.	03-09-1999	
		5,919,478		Landrau et al.	07-06-1999	
		5,935,506		Schmitz, et al.	08-10-1999	
		5,990,162		Scharf	11-23-1999	
		5,994,478		Asrar et al.	11-30-1999	
		6,056,970		Greenawalt, et al.	05-02-2000	
		6,119,567		Schindler, et al.	09-19-2000	
		6,214,387		Berde, et al.	04-10-2001	
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First Named Inventor	Georgio Terenghi
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	TEPH 109

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	US Patent Document Number	Kind Code[2] (if known)	Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,623,749		Williams, et al.	09-23-2003	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known	
Application Number	10/568,649
Filing Date	February 16, 2006
First Named Inventor	Georgio Terenghi
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	TEPH 109

Sheet 17 of 26

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		KIM and MOONEY, "Engineering smooth muscle tissue with a predefined structure", *J. Biomed. Mat. Res.*, 41(2):322-332 (1998).	
		KISHIDA, et al., "Formulation-assisted biodegradable polymer matrices", *Chemical and Pharmaceutical Bulletin,* 37:1954-56 (1989).	
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		LLOYD, et al., "Transformation of *Arabidopsis thalania* with *Agrobacterium tumefaciens*", *Science*, 234: 464-66 (1986).	
		LÜTKE-EVERSLOH et al., "Identification of a new class of biopolymer: Bacterial synthesis of a sulfur-containing polymer with thioester linkages", *Microbiology*, 147(1): 11-19 (2001).	
		LÜTKE-EVERSLOH et al., "List of submitted abstracts", *The 8th International Symposium on Biological Polyesters*, (2000).	

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		MCWILLIAMS, "Plastics as High as an Elephant's Eye?" *Business Week*, pp. 110-11 (1991).	
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		PEDRÓS-ALIO *et al.*, "The influence of poly-D-hydroxybutyrate accumulation on cell volume and buoyant density in *Alcaligenes eutrophus*", *Arch. Microbiol.* 143:178-184 (1985).	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known	
Application Number	10/568,649
Filing Date	February 16, 2006
First Named Inventor	Georgio Terenghi
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	TEPH 109

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Examiner's Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
		TAKAGI et al., "Biosynthesis of polyhydroxyalkanoate with a thiophenoxy side group obtained from Pseudomonas putida", *Macromolecules*, 32: 8315-8318 (1999).	
		TALJA, et al., "Bioabsorbable and biodegradable stents in urology", *J. Endourol.*, 11(6):391-97 (1997).	
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		Tepha announces submission of device master file to FDA (June 3, 2002). Retrieved 12-17-2004, from http://www.pressrelease.be/script_UK/newsdetail.asp?ndays=m&ID=695	
		Tepha submits device master file to FDA- New Technology (July 2, 2002). Retrieved on 12-17-2004, from http://www.findarticles.com/p/articles/mi_mOPC/is_7_26/ai_89018276	
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		TURKE, "Absorbable Biomaterial is suited for diverse applications" (06-03-2002). Retrieved on 12-17-2004, from http://www.devicelink.com/mpmn/archive/01/10/009.html	

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		UNVERDORBEN, et al., "Polyhydroxybutyrate (PHB) Biodegradable Stent-Experience in the Rabbit", *American J. Cardiol.*, TCT Abstracts/Oral, p.5S:TCT-11 (Oct. 1998).	
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		VALENTIN, et al., "Production of poly(3-hydroxybutyrate-co-4-hydroxybutyrate) in recombinant *Escherichia coli* grown on glucose", *J. Biotechnol.*, 58:33-38 (1997).	
		VON SCHROEDER, et al., "The use of polylactic acid matrix and periosteal grafts for the reconstruction of rabbit knee articular defects", *J. Biomed. Mater. Res.*, 25(3):329-39 (1991).	
		WALLEN and ROHWEDDER, "Poly-ß-hydroxyalkanoate from Activated Sludge", *Environ. Sci. Technol.*, 8:576-79 (1974).	
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		WILLIAMS and PEOPLES, "Biodegradable plastics from plants", *Chemtech*, 26:38-44 (1996).	
		WILLIAMS, et al., "Application of PHAs in Medicine and Pharmacy", *Polyesters III*, 4:91-127 (2002).	
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		WILLIAMS, et al., "PHA applications: addressing the price performance issue. I. Tissue engineering", *Int. J. Biol. Macromol.*, 25(1-3): 111-121 (1999).	

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		WODZINSKA, et al., "Polyhydroxybutyrate synthase: Evidence for covalent catalysis", *J. Am. Chem. Soc.* 118:6319-6320 (1996).	
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		WORSEY and WILLIAMS, "Metabolism of toluene and xylenes by *Pseudomonas putida (arvilla)* mt-2: evidence for a new function of the TOL plasmid" *J Bacteriol* 124:7-13 (1975).	
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		YAMADA, et al., "Development of a dural substitute from synthetic bioabsorbable polymers", *J. Neurosurg.*, 86(6):1012-17 (1997).	
		ZUND, et al., "The in vitro construction of a tissue engineered bioprosthetic heart valve", *Eur. J. Cardiothorac. Surg.*, 11(3):493-97 (1997).	

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